

Applicant : Gregory T. Galazin
Appln. No. : 09/936,678
Page : 10

REMARKS

Reconsideration of the application as amended is requested.

Applicant has submitted a substitute specification pursuant to 37 C.F.R. §1.125, a marked-up copy of which is attached as Exhibit 1, and a clean copy of which is attached as Exhibit 2. The substitute specification includes no new matter.

In the Office Action dated December 2, 2003, the drawings and specification were objected to on the basis of various informalities, the enclosed substitute specification corrects each of the matters noted by the Examiner.

Claims 14-17, 22-24, 29, 30, 32 and 33 were rejected under 35 U.S.C. §112 (second paragraph) as being indefinite. Each of the matters noted by the Examiner have been corrected, such all claims are now believed to be clear and definite in compliance with 35 U.S.C. §112.

In the Office Action of December 2, 2003, claim 21 was indicated to be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. §112, second paragraph. However, claim 21 was not rejected under 35 U.S.C. §112, such that Applicant is uncertain concerning the status of claim 21. Any comments or suggestion that the Examiner may have concerning claim 21 would be appreciated.

Claims 13 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over VanDenberg U.S. Patent No. 5,788,263 in view of WO 97/06022, claims 19, 20 and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over VanDenberg '263 in view of British Patent 1,203,386, claims 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over VanDenberg '263 in view of WO '022 as applied to claim 14, and further in view of British '386, claims 28 and 29 were rejected under 35 U.S.C. §1.03(a) as being unpatentable over VanDenberg '263 in view of British '386 as applied to claim 27, and further in view of WO '022, claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over VanDenberg '263 in view of WO '022 and British '386 as applied to claim 16, and further in view of Dilling et al. U.S. Patent No. 5,366,237, and claims 30, 32 and 33 were

Applicant : Gregory T. Galazin
Appln. No. : 09/936,678
Page : 11

rejected under 35 U.S.C. §103(a) as being unpatentable over VanDenberg '263 in view of British '386 and WO '022 as applied to claim 29, and further in view of Dilling '237.

Claim 13 has been amended to recite that the spring beam is made of spring steel, and is significantly wider than it is thick. Support for these amendments is provided in the specification at paragraphs [0037] and [0052]. The trailing beams of VanDenberg '263 have a very thick cross sectional configuration that is substantially different than that of amended claim 13. Also, the trailing beams 15 of VanDenberg '263 are made of a plurality of layers of laminate material 33. Also, WO '022 discloses a trailing arm 18 that is a hollow rectangular member (page 12, line 21). Thus, VanDenberg '263 and WO '022 are actually quite different than the arrangement of amended claim 13. Furthermore, substantial modification of these references would be required to provide the arrangement of amended claim 13. The cited references themselves are not believed to teach or suggest such modifications, such that claim 13 is believed to be allowable over these references.

Claims 14-17 depend from claim 13, and are therefore believed to be allowable for those reasons set forth above with respect to claim 13.

Claim 19 has been amended to recite that the spring beam has an end portion forming an open loop defining an axle seat. As discussed in the application as filed, the open loop of the spring beam permits the axle to be easily slid into the opening without any significant frictional resistance from the axle seat. This unique arrangement is not believed to be disclosed or suggested by the cited references.

Claims 20, 27-30, 32 and 33 depend from claim 19, and are therefore believed to be allowable for those reasons set forth above with respect to claim 19.

Applicant : Gregory T. Galazin
Appln. No. : 09/936,678
Page : 12

Applicant has made a concerted effort to place the present application in condition for allowance, and a notice to this effect is earnestly solicited. In the event there are any remaining informalities, the courtesy of a telephone call to the undersigned attorney would be appreciated.

Respectfully submitted,

GREGORY T. GALAZIN

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP

3/2/04
Date

Jeffrey S. Kapteyn
Jeffrey S. Kapteyn
Registration No. 41 883
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610

JSK/cmu